

**PETITION TO ACCEPT UNINTENTIONALLY DELAYED PAYMENT OF MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378(c))****RECEIVED**

2010

OFFICE OF PETITIONS

CAUTION: Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent number and (2) the application number of the actual U.S. application leading to issuance of that patent to ensure the fee(s) is/are associated with the correct patent. 37 CFR 1.366(c) and (d).

SMALL ENTITY Pattee claims, or has previously claimed, small entity status. See 37 CFR 1.27. 11/19/2010 DALLEN 00000009 6643599**LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS**

01 FC:1599

2880.00 0P

 Pattee is no longer entitled to small entity status. See 37 CFR 1.27(g)**NOT Small Entity**

Fee	Code
<input type="radio"/> 3 1/2 year	(1551)
<input type="radio"/> 7 1/2 year	(1552)
<input type="radio"/> 11 1/2 year	(1553)

Small Entity

Fee	Code
<input type="radio"/> 3 1/2 year	(2551)
<input checked="" type="radio"/> 7 1/2 year	(2552)
<input type="radio"/> 11 1/2 year	(2553)

SURCHARGE

The surcharge required by 37 CFR 1.20(i)(2) (Fee Code 1558) must be paid as a condition of accepting unintentionally delayed payment of the maintenance fee.

MAINTENANCE FEE (37 CFR 1.20(e)-(g))

The appropriate maintenance fee must be submitted with this petition.

STATEMENT

THE UNDERSIGNED CERTIFIES THAT THE DELAY IN PAYMENT OF THE MAINTENANCE FEE TO THIS PATENT WAS UNINTENTIONAL

PETITIONER(S) REQUEST THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATE

THIS PORTION MUST BE COMPLETED BY THE SIGNATORY OR SIGNATORIES

37 CFR 1.378(d) states: "Any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the pattee, the assignee, or other party in interest."

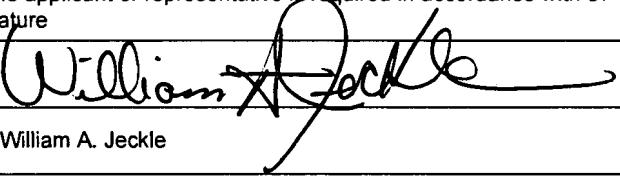
I certify, in accordance with 37 CFR 1.4(d)(4) that I am

- An attorney or agent registered to practice before the Patent and Trademark Office
- A sole pattee
- A joint pattee; I certify that I am authorized to sign this submission on behalf of all the other patentees.
- A joint pattee; all of whom are signing this e-petition
- The assignee of record of the entire interest

Repln. Ref: 11/19/2010 DALLEN 001536399
DAB:505212 Name/Number:6643599
FC: 9204 2880.00 CR

USPTO
PATENTS ACCOUNTING
DIVISION
NOV 17 PM 4:08

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays valid OMB control number.

Patent Practitioner			
A signature of the applicant or representative is required in accordance with 37 CFR 1.33 and 10.18. Please see 37 CFR 1.4(d) for the form of the signature.			
Signature		Date (YYYY-MM-DD)	11/10/10
Name	William A. Jeckle	Registration Number	55825
This collection of information is required by 37 CFR 1.378(c). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. This form can only be used when in conjunction with EFS-Web. If this form is mailed to the USPTO, it may cause delays in reinstating the patent.			

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NOV 22 2010

PTO/SB/45 (03-09)

Approved for use through 03/31/2012. OMB CONTROL NUMBER 1110-0001
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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MAINTENANCE FEE TRANSMITTAL FORM
(Do not submit this form electronically via EFS-Web)

Address to:

Director of the United States
Patent and Trademark Office
Attn: Maintenance Fee
2051 Jamieson Avenue, Suite 300
Alexandria, VA 22314

- OR -

Fax to: 571-273-6500

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Director of the United States Patent and Trademark Office, Attn: Maintenance Fee, 2051 Jamieson Avenue, Suite 300, Alexandria, VA 22314" on November, 2010.

Signature _____

Typed or printed name William A. Jeckle

Enclosed herewith is the payment of the maintenance fee(s) for the listed patent(s).

- A check for the amount of \$ 1,305.00 for the full payment of the maintenance fee(s) and any necessary surcharge is enclosed.
- Payment by credit card. Form PTO-2038 is enclosed.
- The Director is hereby authorized to charge \$ _____ to cover the payment of the fee(s) indicated below to Deposit Account No. _____.
- The Director is hereby authorized to charge any deficiency in the payment of the required fee(s) or credit any overpayment to Deposite Account No. 50-5212.

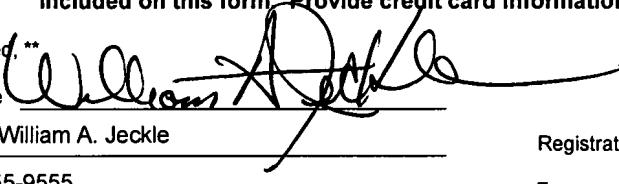
* Information required by 37 CFR 1.366(c) (columns 1 & 2). Information requested under 37 CFR 1.366(d) (columns 3, 4, & 5).

Item	Patent Number* Column 1	U.S. Application Number* [e.g., 06/555,555] Column 2	Maintenance Fee Amount (37 CFR 1.20(e)-(g)) Column 3	Surcharge Amount (37 CFR 1.20(h)) Column 4	Payment Year (select one below) Column 5		
					3.5 yrs	7.5 yrs	11.5 yrs
1	6643599	09/690147	1240.00	65.00		X	
2							
3							
4							
5							
Subtotals: Columns 3 & 4			1240.00	65.00			
Total Payment			1305.00				

_____ additional sheets attached for listing additional patents.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on Form PTO-2038.

Respectfully submitted, **

Customer's Signature Customer's Name William A. JeckleRegistration Number, if applicable: 55,825Telephone: 509-455-9555

Fax: _____

Note: All correspondence will be forwarded to the "Fee Address" or to the "Correspondence Address" if no "Fee Address" has been provided. See 37 CFR 1.363.

Payment of small entity fee is appropriate if small entity status still exists, see 37 CFR 1.27(g). To establish small entity status or to change status from small to large entity, a written assertion is required. See 37 CFR 1.27 and 1.33(b).

** WHERE MAINTENANCE FEE PAYMENTS ARE TO BE MADE BY AUTHORIZATION TO CHARGE A DEPOSIT ACCOUNT, BOTH THE NAME AND SIGNATURE OF AN AUTHORIZED USER ARE REQUIRED.

This collection of information is required by 37 CFR 1.366. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Director of the United States Patent and Trademark Office, Attn: Maintenance Fee, 2051 Jamieson Avenue, Suite 300, Alexandria, VA 22314.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2009

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 2945.00)
Complete if Known

Application Number	09/690147	RECEIVED
Filing Date	2003/11/04	NOV 22 2010 OFFICE OF PETITIONS
First Named Inventor	Mohr, Chuck	
Examiner Name		
Art Unit		
Attorney Docket No.	Mohr - Fruit Tester	

METHOD OF PAYMENT (check all that apply)
 Check Credit Card Money Order None Other (please identify): _____

 Deposit Account Deposit Account Number: 50-5212 Deposit Account Name: Lukins & Annis, PS

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

 Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee

 Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

<u>Application Type</u>	<u>FILING FEES</u>		<u>SEARCH FEES</u>		<u>EXAMINATION FEES</u>		
	<u>Small Entity</u>	<u>Fee (\$)</u>	<u>Small Entity</u>	<u>Fee (\$)</u>	<u>Small Entity</u>	<u>Fee (\$)</u>	<u>Fees Paid (\$)</u>
Utility	330	165	540	270	220	110	
Design	220	110	100	50	140	70	
Plant	220	110	330	165	170	85	
Reissue	330	165	540	270	650	325	
Provisional	220	110	0	0	0	0	

2. EXCESS CLAIM FEESFee Description

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Multiple Dependent Claims</u>	<u>Small Entity</u>	<u>Fee (\$)</u>	<u>Fee (\$)</u>
					<u>Fee (\$)</u>	<u>Fee (\$)</u>	<u>Fee (\$)</u>
- 20 or HP =	x	=			52	26	
HP = highest number of total claims paid for, if greater than 20.					220	110	
<u>Indep. Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>		390	195	
- 3 or HP =	x	=					
HP = highest number of independent claims paid for, if greater than 3.							

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$270 (\$135 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
- 100 =	/ 50 =	(round up to a whole number) x	=	

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Petition to accept unintentionally delayed fee and 2nd maint fee.

2,945.00

SUBMITTED BY

Signature 	Registration No. 55825 (Attorney/Agent)	Telephone 509-455-9555
Name (Print/Type) William A. Jeckle	Date November 10, 2010	

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RAM Fee History
Query
Revenue Accounting and Management

Name/Number: 6643599

Total Records Found: 3

Start Date: Any Date

End Date: Any Date

Accounting Date	Sequence Num.	Fee Type	Fee Code	Fee Amount	Mailroom Date	Payment Method
11/19/2010	00000016	4	9204	-\$65.00	11/15/2010	CK
11/19/2010	00000015	2	1599	\$2,880.00	11/15/2010	CK
12/27/2006	00000171	2	2551	\$450.00	12/18/2006	CK

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PTO/SB/45 (03-09)

Approved for use through 03/31/2012. GSA GEN. REG. NO. 27 PETITIONS

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Signature _____

Typed or printed name William A. Jeckle

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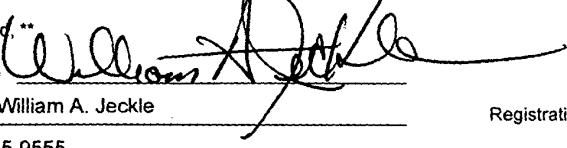
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3							
4							
5							
Subtotals: Columns 3 & 4		1240.00	65.00		<input type="checkbox"/> additional sheets attached for listing additional patents.		
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If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND					
1 Date of Request: 01/26/11		2 Serial/Patent # 6,643,599			
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT	
<input type="checkbox"/>	Filing			\$	
<input type="checkbox"/>	Amendment			\$	
<input type="checkbox"/>	Extension of Time			\$	
<input type="checkbox"/>	Notice of Appeal/Appeal			\$	
<input type="checkbox"/>	Petition			\$	
<input type="checkbox"/>	Issue			\$	
<input type="checkbox"/>	Cert of Correction/Terminal Disc.			\$	
<input checked="" type="checkbox"/>	Maintenance			\$	1,640.00
<input type="checkbox"/>	Assignment			\$	
<input type="checkbox"/>	Other			\$	
		7 TOTAL AMOUNT OF REFUND	\$ 1,640.00		
8 TO BE REFUNDED BY:					
<input checked="" type="checkbox"/>	Treasury Check				
<input type="checkbox"/>	Credit Deposit A/C #:				
		9			
10 REASON:					
<input checked="" type="checkbox"/>	Overpayment				
<input type="checkbox"/>	Duplicate Payment				
11 REFUND REQUESTED BY:					
TYPED/PRINTED NAME:		Tredelle Jackson		TITLE: Paralegal	
SIGNATURE:		<u>Tredelle Jackson</u>		PHONE: 2-2783	
OFFICE:		Office of Petitions			
***** THIS SPACE RESERVED FOR FINANCE USE ONLY *****					
APPROVED:		DATE:			

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:

Office of Finance
Refund Branch
Crystal Park One, Room 802B